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**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Dr. Kelly Brian Cameron

Examiner: n/a

Application Serial No: 10/669,066

Art. Group: 2133

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Confirmation No: 2725

Patent No: n/a

Attorney Docket No: BP3036

Patent Issue Date: n/a

Title: Variable modulation with LDPC (Low Density Parity Check) coding

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Date: Friday, October 22, 2004 (08/22/2004)

**Via facsimile to (703) 872-9306
ATTN: Office of Petitions**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

(1) RENEWED PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. §120
AND
(2) SUBSTITUTE PRELIMINARY AMENDMENT

Dear Sir or Madam:

(1) RENEWED PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. §120

The Applicant hereby renews the earlier filed petition under 37 C.F.R. §1.78(a)(3) for the acceptance of an unintentionally delayed claim for priority under 35 U.S.C. §120 in the above-referenced application.

The Applicant asserted the priority claims in the above-referenced patent application within the original filing, but the Applicant unintentionally asserted those priority claims in a manner that was not in compliance with 35 U.S.C. §120 and 37 C.F.R. §1.78(a)(2). The Applicant hereby provides a substitute amendment to those priority claims to bring them into compliance with 35 U.S.C. §120 and 37 C.F.R. §1.78(a)(2).

The Applicant herewith submits a substitute preliminary amendment to amend the originally-submitted priority claim so that it complies with 35 U.S.C. §120 and 37 C.F.R. §1.78(a)(2);

the Applicant submitted the surcharge set forth in §1.17(t) within the originally-filed petition; and

the Applicant hereby states that the entire delay between the date the claim was due under 37 C.F.R. §1.78(a)(1)(ii) and the date the claim was filed (i.e., brought into compliance in this filing) was unintentional.